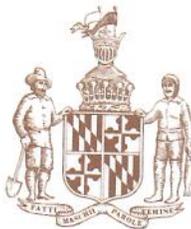


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Health and Government
Operations Committee

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Government Operations
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Testimony in Support of HB 1071
Public Health – Substance-Related Disorder Services
(Maryland Patient Protection and Treatment Ethics Act)

HB 1071 outlines the methods that behavioral health and other health care workers may use to communicate about substance abuse facilities and services. Further, the bill defines the circumstances under which treatment referrals may be made and specifies the standing and regulatory requirements to be used when referring patients to qualified treatment providers. Penalties for failure to comply with the provisions of HB 1071 are defined in the bill and include criminal prosecution and significant fines. In sum, HB 1071 seeks to curtail the unethical “patient brokering” of patients suffering from substance abuse who are seeking medical recovery from opioid-related addiction.

The term “opioid epidemic” specifically refers to the growing number of deaths and hospitalizations from opioids, including prescriptions, illicit drugs, and analogues. The widespread use of opioid drugs has become an epidemic as over 40,000 Americans die each year – 130 a day. Opioid use and abuse is now the leading cause of accidental death in the United States. Recall that these deaths occur as individuals turn from drugs prescribed by their doctors. Fully 80% of people suffering from an addiction to heroin started with a prescription for an opioid pain reliever. At present, prescription opioid misuse costs the US more than \$78 billion per year.

There are many theories about how and why we got here—stories of misleading prescription marketing, new thinking about pain management, and economic depression in vulnerable communities. Certainly there is plenty of blame to go around. As awareness has grown of the toll this crisis is taking on individuals, families, and communities, money for treatment has become readily available at the federal, state, and local level. And the appalling fact is that unscrupulous businesses have grown up to prey on those struggling with addiction and to bilk insurance companies that provide coverage for addiction treatment.

It goes without saying that those suffering from addiction are confronting many challenges, and they are vulnerable to legitimate and illegitimate invitations to participate in treatment. “Patient brokers” target people suffering with addiction on the streets, in drug courts, in Alcoholics and Narcotics Anonymous meetings, through under the table referrals from employees in behavioral

health settings, in any setting where persons suffering from substance abuse disorders can be found. Their desperation is exploited as they are lured to “sober living homes” and other illegitimate facilities where recovery programs are offered but not delivered.

Internet and TV ads, telephone hotlines, and referral kickbacks appeal to anxious family members as well as addicts. Those who are caught up in this scam end up biding their time in sub-standard “facilities” while receiving no recovery services. In the worst case scenarios, with the pain of addiction left untreated, these individuals return to the streets to satisfy their cravings and often wind up being hospitalized and even dying. In an editorial on “patient brokering,” *USA Today* noted that, “In a country with 2.1 million people suffering from opioid addiction, business (for patient brokers) is booming.”

HB 1071 blocks every pipeline that “patient brokers” use to prey on patients suffering with substance abuse disorders. The bill seeks to end an unscrupulous practice and eliminate barriers to high quality, ethical, and legitimate recovery services for patients and hope for their families and communities.

For these reasons, I urge you to support **HB 1071**, and I request a favorable report.

Thank you,

Delegate Karen Lewis Young